



TELECOMMUNICATIONS
INDUSTRY ASSOCIATION

1320 N. Courthouse Rd., Suite 200
Arlington, VA 22201 USA
www.tiaonline.org

Tel: +1.703.907.7700
Fax: +1.703.907.7727

Via Electronic Filing (<http://apps.fcc.gov/ecfs/>)

October 12, 2015

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St., S.W.
Washington, DC 20554

Re: *ET Docket Nos. 15-170; 13-44; RM-11637; RM-11652*

Dear Ms. Dortch:

On Thursday, October 8, 2015, the Telecommunications Industry Association (“TIA”) met with Federal Communications Commission’s (“Commission”) Office of Engineering and Technology (“OET”) at the Commission’s Laboratory in Columbia, MD. The purpose of this meeting was for TIA to discuss its views related to the above-referenced dockets related to reform of the Commission’s equipment authorization process, and to facilitate an ongoing dialogue between the information and communications technology (“ICT”) industry and Commission staff on developments and views related to improving the Commission’s equipment authorization process.

First, TIA summarized its detailed views¹ on the Commission’s wide-ranging proposals put forward to modernize its equipment authorization process.² Specifically, TIA:

- Described how the Commission’s equipment authorization process has been largely effective to date, and supported the Commission’s proposals to make its regulations clear and easily understood through needed rule consolidation and streamlining, as well as the continued success of the Commission’s informal guidance process for compliance with technical requirements;
- Supported the Commission’s proposal to establish a new self-declaring compliance approach for equipment with an established track record of conformity to Commission

¹ See Comments of TIA, ET Docket No. 15-70; RM-11637 (filed Oct. 9, 2015).

² *Amendments of Parts 0, 1, 2, 15 and 18 of the Commission’s Rules regarding Authorization of Radiofrequency Equipment*, Notice of Proposed Rulemaking, ET Docket No. 15-170, RM-11673 (rel. July 21, 2015).

requirements, and the future consideration of such an approach to further categories of wireless equipment needing Commission approval;

- Supported the Commission's proposed improvements to how equipment is certified and how related manufacturer responsibilities are determined;
- Supported the Commission's proposals to improve regulations on imported ICT, including a new provisional grant approach that would permit manufacturers to better plan for product launches and to meet related consumer demands;
- Generally supported the Commission's proposed changes to short- and long-term certification grant confidentiality rules, which are imperative to protecting proprietary design specifications and facilitating innovation;
- Supported the Commission's proposals to realize the benefits of electronic labels for ICT equipment;
- Supported the Commission's proposals to reduce administrative responsibilities on importers of ICT through the elimination of unnecessary paperwork, as well as additional steps needed to meaningfully reduce excessive clerical burdens; and
- Noted that it believes that the Commission should prioritize resources to make necessary improvements and updates to the Commission Laboratory's information technology systems, which will be crucial to enabling all the changes in process considered in the rulemaking

Further, TIA expressed its long-standing support for the negotiation of telecommunications mutual recognition agreements³ ("MRAs") as the preferred means of harmonizing conformity assessment processes and increasing the utility and importance of testing laboratories, both within and outside of the United States. TIA also urged for the Commission to take action on its pending petition for clarification and/or reconsideration of the Commission's December 30, 2014-released Report and Order,⁴ in which TIA requests that the Commission (1) implement its policies for the re-certification of laboratories in countries without a telecommunications MRA in place and which were accredited by a Commission-recognized accreditation body; (2) provide clarification on the path forward to re-certification for § 2.948-listed laboratories in non-MRA countries as soon as possible; and (3) provide a period of two years once this process is finalized and made public for such laboratories to undergo and complete such process.⁵

³ Telecommunications MRAs are government-to-government agreement that facilitates trade in telecommunications equipment by providing a mechanism where the MRA partner telecom regulators will accept conformity assessment results from recognized testing laboratories and/or certification bodies (referred to as Conformity Assessment Bodies or CABs) located in the other partner's country. *See* National Institute of Standards & Technology, "Introduction to EMC and Telcom Mutual Recognition Agreements" (last visited Oct. 9, 2015), available at <http://gsi.nist.gov/global/index.cfm/L1-4/L2-16/L3-101>.

⁴ *Amendment of Parts 0, 1, 2, and 15 of the Commission's Rules regarding Authorization of Radiofrequency Equipment; Amendment of Part 68 regarding Approval of Terminal Equipment by Telecommunications Certification Bodies*, Report and Order, 29 FCC Rcd 16335 (2014).

⁵ *See* TIA, *Petition for Clarification and/or Reconsideration*, ET Docket No. 13-44, RM-11652 (filed July 13, 2015).

Finally, TIA reinforced its commitment to the long-standing and ongoing partnership between TIA, representing the ICT manufacturer community, and the Commission to constantly improving the equipment authorization process to ensure that manufacturers can meet consumer demands while making sure that important rules protecting against harmful interference and consumer safety are complied with.

In attendance from TIA and TIA's membership were: Brian Scarpelli and Bryanna Evans, both of TIA; Robert Kubik, Samsung; Yuriy Litvinov, 3M (via conference call); Roy McClellan, Airbus DS Communications (via conference call); David Case, Cisco (via conference call); Thanh Nguyen, Dell (via conference call); Robert Paxman, Intel (via conference call); Jacky Yeung, Lenovo (via conference call); Chuck Powers, Motorola Solutions (via conference call); and John Forrester, Qualcomm (via conference call). Attendees from the Commission were: Rashmi Doshi, OET Laboratory Division Chief; William Hurst, OET; Jim Szeliga, OET; and George Tannahill, OET; Bryan Butler, OET (via conference call); and Jamison Prime, OET (via conference call).

Pursuant to the Commission's rules,⁶ this letter (with meeting materials appended) is being electronically filed via the Commission's Electronic Comment Filing System and a copy of this submission is being provided electronically to the meeting attendees.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: /s/ Brian Scarpelli
Brian Scarpelli
Director, Government Affairs

TELECOMMUNICATIONS INDUSTRY ASSOCIATION
1320 North Courthouse Road
Suite 200
Arlington, VA 22201
703.907.7700

October 12, 2015

cc: Rashmi Doshi
William Hurst
Jim Szeliga
George Tannahill
Bryan Butler
Jamison Prime

⁶ 47 C.F.R. § 1.1206.



TIA-FCC OET Laboratory Dialogue

OET Labs, Columbia MD

October 8, 2015

Agenda

- **About TIA**
- **TIA Views on Equipment Authorization NPRM**
- **International Electronic Labeling (eLabeling) Update**
- **Telecom Mutual Recognition Agreement (MRA) efforts**
 - TIA Petition for Clarification/Reconsideration re: Labs in non-MRA countries
- **HAC Standards/Testing Updates**
- **Accredited Lab Requirement Issues**
- **October 2015 TCB Council Workshop**
- **Further Issues**



About TIA

- Represents ~400 information and communication technology (ICT) companies
- Technology and standards development
- Policy and advocacy
- American National Standards (ANSI) accredited standards development organization with 12 engineering committees and 12 international advisory groups

About TIA (cont'd)

- Key areas of policy advocacy:
 - Disability access to ICT
 - Broadband convergence (deployment policies, IP transition, etc.)
 - Cybersecurity and supply chain integrity
 - Energy and environment
 - Healthcare ICT
 - Intelligent transportation systems
 - *Internet of Things (IoT)*
 - Standards & IPR
 - *Equipment authorization/device approval*
 - Spectrum allocations
 - Public safety
 - Trade and market access
- Please visit <http://tiaonline.org/policy>



Equipment Authorization Reforms

- Equipment approval process has been successful, and should also be constantly examined for ways to evolve and improve
- TIA supports the Commission's efforts to make its regulations more easily understood through such steps as moving Part 15 certification rules into Part 2
- TIA supports the Commission's KDB Process and its continued role in the Commission's equipment authorization process

Equipment Authorization Reforms

- TIA supports shifting Verification and DoC to a Supplier's Declaration for Conformity (SDoC) approach
- Modular Approvals
 - OET Labs need delegated authority to update its KDB
- Devices with software-based capabilities
 - Support for the Commission's proposal to simplify its rules by removing the SDR designation from grants of certification
 - Radios considered SDRs should not have to go through the PBA review process by TCBs so as to speed time to market

Equipment Authorization Reforms

- Processes for Certified Equipment
 - Support removing of the Class III SDR upgrade and placing it under a Class II change
 - Recommend that the addition of antennas of different family types to Part 15 devices be allowed as a Class I approval
 - Recommend a non-exhaustive list of examples of changes to certified equipment and their effect with regard to requiring FCC IDs be provided
 - Agree with the concept of a “family of products” existing under a single FCC ID
- Responsible Parties for Certified Equipment
 - Support the Commission’s proposal to codify rules to clarify the responsible party for the certification and to relocate the certified modular transmitter requirements of Part 15 into Part 2

Equipment Authorization Reforms

- Modification of Certified Equipment by Third Parties
 - Proposed approach could create issues with warranties, repairs, trademarks, and changes that could affect the quality of a certified product's performance, thus reflecting negatively on the equipment manufacturer whose name is on the product
 - TIA recommends that the issues raised in the Commission's discussion of radio modules be addressed in the OET Labs' relevant KDB guidance rather than set in stone through the CFR
 - Suggest removing radio modules and radio approval RF exposure proposals, and that these instead exist as part of the device's instructions with regard to module integration

Equipment Authorization Reforms

- Support Proposals re: Repaired/Refurbished Equipment
- Imported Equipment
 - The Commission should publish the contact information of the domestic responsible party through the FCC ID search engine for importers when importing devices certified by a third party
- Supports Proposals re: Information to be Included with Applications for Certification
- Timeframe for Requesting Review of Certification Grants and the Allowance for Provisional Certification for Purposes of Importation
 - TIA supports keeping the 30 day review and comment period after the issuing of the Commission grant and posting of all non-long-term confidential information

Equipment Authorization Reforms

- Short-term confidentiality
 - permit all test results be given short-term confidentiality.
 - permit 45 days with extensions up to 180 days total as the proper length of time to allow short-term confidentiality
 - keep the current rule of up to 180 days of confidentiality, rather than making manufacturers request multiple extensions, adding to the administrative burden.
- Long-term confidentiality
 - Further documents, as determined by the manufacturer, will need to be considered confidential (e.g., trademarked) to be eligible for long-term confidentiality, based on request from the manufacturer.

Equipment Authorization Reforms

- Electronic Labeling
 - Continuous evolution of industrial design (e.g., smaller smartphones) and multiple regulatory environments has led to increased costs and difficulty in ensuring all relevant markings or labels are affixed efficiently and conveniently.
 - The consensus view of the ICT manufacturer community is that an effective solution to this problem is the non-exclusive use of electronic labeling for RF-emitting and terminal ICT equipment, which allows consumers and other users access to easily readable and prominently displayed information about each device.

Equipment Authorization Reforms

- Changes to Measurement Procedures
 - Support adopting industry-developed test standards for measurement procedures
 - ANSI C63.26 does not cover all licensed transmitters
 - Location Monitoring Services (LMS), fixed services, satellite systems, television, broadcast, etc.
 - In regard to adoption of ANSI C63.26, we concur with those recommendations regarding the radiated measurement using the field of strength versus the substitution method.

Equipment Authorization Reforms

- Importation Rules
 - Proposals to Eliminate Form 740
 - additional steps are needed to achieve meaningful reduction in overall administrative burdens
 - TIA proposes to remove § 2.1203 in its entirety
 - Proposed Modification of Customs Bonded Warehouse Requirements
 - Endorse the use of a foreign trade zone or bonded facility for devices prior to the issuance of provisional grants of certification
 - Commission should consider allowing importers the option to manage the importation of such unauthorized devices in the importer's facility.

Equipment Authorization Reforms

- Increasing the Number of Imported Trade Show Devices
 - Importers commonly have difficulty determining which category of device (licensed or unlicensed) may be being imported
 - Combine §2.1204(a)(4)(i) and §2.1204(a)(4)(ii) onto a single section to help reduce the importer's administrative burden
- Devices Imported for Personal Use
 - Support the scope expansion, and urge Commission to raise the allowable number of personal devices to 10

International Electronic Labeling (eLabeling) Update

- International updates/discussion
 - Canada
 - European Union
 - *Malaysia*
 - *China*
 - ASEAN
 - South Africa
 - Industry Standardization Effort

Telecom Mutual Recognition Agreement (MRA) Efforts

- TIA supports the negotiation of new telecom MRAs
- September 25 'Telecom Attaché Roundtable'
- Current MRAs
 - EU
 - EEA EFTA (EU + Iceland, Liechtenstein, and Norway)
 - APEC Tel
 - Japan
 - Israel
 - MRAs Pending Implementation
 - Mexico
 - China – **Update**
 - India – **Update**

HAC Testing Issues

- Update on status of C 63.19 PINS
- Next steps

Accredited Lab Requirement Issues

- FCC Report & Order re: Labs in non-MRA countries
 - TIA June 2013-filed comments to lab recognition NPRM: <http://bit.ly/1Fw9JR7>
 - TIA July 2015-filed petition for clarification/reconsideration: <http://bit.ly/1iaBBW6>
- Will the FCC develop a new lab list of accepted accredited labs?
- Will the FCC be letting labs being delisted know that their date this or will it fall to TCB?
- Will the FCC increase oversight to make sure TCB do not accept data from non-approved labs?
- If a TCB is located in a country where the lab test data is not accepted, will the TCB be decertified as well?
- Where is FCC in development of a program such as to allow accredited labs from non MRA countries to participate?



October 2015 TCB Council Workshop

- FCC priorities
- SAR update
- Draft KDB's to be presented
- Any PBA list updates

Further Issues

- Fast SAR acceptance status
- Mobile handset approval issues with international roaming, what are the concerns or issues?
- What are the major issues of concern for FCC that industry needs to address?
- Any specific issues TIA TRPC can address?



Thank You!

Brian Scarpelli

Director, Government Affairs

Telecommunications Industry Association (TIA)

d: 703.907.7714 | m: 517.507.1446 | BScarpelli@tiaonline.org

TIAonline.org | Twitter: [@TIAonline](https://twitter.com/TIAonline) and [@TIA_NOW](https://twitter.com/TIA_NOW)